

1 Mark H. Hutchings, Esq.
Nevada Bar No. 12783
2 **HUTCHINGS LAW GROUP, LLC**
552 E. Charleston Blvd.
3 Las Vegas, Nevada 89104
Telephone: (702) 660-7700
4 Facsimile: (702) 552-5202
MHutchings@HutchingsLawGroup.com
5 *Attorney for Plaintiff*

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 STEVEN V. KOZMARY, M.D., LLC, d/b/a
CLEVELAND BACK AND PAIN
9 MANAGEMENT CENTER, a Nevada limited
liability company,

10 Plaintiff,

11 v.

12 CGS ADMINISTRATORS, LLC; a Delaware
limited liability company; ALEX AZAR, in his
13 official capacity as the Secretary of the
Department of Health & Human Services;
14 SEEMA VERMA, in her official capacity as the
Administrator of the Centers for Medicare &
15 Medical Services; THE UNITED STATES
DEPARTMENT OF HEALTH AND HUMAN
16 SERVICES; THE CENTERS FOR MEDICARE
AND MEDICAID SERVICES; DOES 1-10,
17 business entities, forms unknown; DOES 11-20,
18 individuals; and DOES 21-30, government
agencies, inclusive,

19 Defendants.
20
21

Case No. 2:19-CV-02219

**STIPULATION AND ORDER TO DISMISS
WITHOUT PREJUDICE**

22 Plaintiff, Steven V. Kozmary, M.D., LLC, d/b/a Cleveland Back and Pain Management Center
23 (“Plaintiff”), by and through counsel of record, Mark H. Hutchings, Esq. of the law firm Hutchings
24 Law Group, LLC, and CGS Administrators, LLC, Alex Azar, in his official capacity as the Secretary
25 of the Department of Health & Human Services, Seema Verma, in her official capacity as the
26 Administrator of the Centers for Medicare & Medical Services, The United States Department of
27 Health and Human Services, and The Centers for Medicare and Medicaid Services, by and through
28 counsel of record Roger W. Wenthe, Esq. Assistant United States Attorney, hereby stipulate as follows:

1. For dismissal of the action pursuant to Fed. R. Civ. Proc. 41(a)(1)(A)(ii) as to all parties, and without prejudice;
2. That each party is to bear its own fees and costs associated with the action; and
3. That all dates currently scheduled in the underlying action be vacated.

Dated: May 8, 2020
HUTCHINGS LAW GROUP, LLC

/s/ Mark H. Hutchings
Mark H. Hutchings, Esq.
NV Bar No. 12783
552 E. Charleston Blvd.
Las Vegas, NV 89104
Telephone: (702) 660-7700
mhutchings@hutchingslawgroup.com
Attorney for Plaintiff

Dated: May 8, 2020
ASSISTANT UNITED STATES ATTORNEY

/s/ Roger W. Wenthe
Roger W. Wenthe, Esq.
NV Bar No. 8920
501 S. Las Vegas, Blvd., Suite 1100
Las Vegas, NV 89101
Telephone: 702-388-6538
roger.wenthe@usdoj.gov
Attorney for Defendants

ORDER

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

Dated: May 8, 2020.

HUTCHINGS LAW GROUP, LLC

552 E. CHARLESTON BLVD.
LAS VEGAS, NV 89104